

NOTE: the following reflects the actions taken at the Regular Session of the Bloomington Common Council. Meeting minutes with narrative (including non-legislative items) will replace this document after they have been approved by the council. Background information for the reports and legislation discussed at this meeting can be found in the legislative packets for June 21, 2017, August 30, 2017, and August 30, 2017 at the council web page. Please contact the Office of the City Clerk if you have questions regarding this document or the process.

Action Memorandum

Bloomington Common Council Regular Session

September 6, 2017- Council Chambers - 6:32pm

Council President Susan Sandberg presided

Roll Call: Sturbaum, Ruff, Chopra (left at 11:25pm), Granger, Sandberg, Sims, Piedmont-Smith, Volan, Rollo

Members Absent:

APPROVAL OF MINUTES

MOTION: Councilmember Isabel Piedmont-Smith moved and it was seconded to approve the minutes of August 30, 2017.

ACTION: The motion received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

APPOINTMENTS TO BOARDS AND COMMISSIONS

ACTION: Council President Sandberg assigned Councilmember Jim Sims to Council Interview Committee Team A.

LEGISLATION FOR SECOND (AND SUBSEQUENT) READINGS AND RESOLUTIONS

Resolution 17-33 – Opposing Attacks on Our Health Benefits

MOTION: Councilmember Steve Volan moved and it was seconded that Resolution 17-33 be introduced and read by title and synopsis only.

ACTION: The motion was approved by voice vote.

MOTION: Volan moved and it was seconded that Resolution 17-33 be adopted.

ACTION: The motion to adopt Resolution 17-33 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Resolution 17-32 – Waiving Current Payments in Lieu of Taxes by the Bloomington Housing Authority to the City

MOTION: Volan moved and it was seconded that Resolution 17-32 be introduced and read by title and synopsis only.

ACTION: The motion was approved by voice vote.

MOTION: Volan moved and it was seconded that Resolution 17-32 be adopted.

ACTION: The motion to adopt Resolution 17-32 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Ordinance 17-31 - To Amend the Zoning Maps from Residential Single Family (RS) to Planned Unit Development (PUD) and Approve a District Ordinance and Preliminary Plan - Re: 1100 N. Crescent (Mecca Companies, Petitioner)

MOTION: Volan moved and it was seconded that Ordinance 17-31 be introduced and read by title and synopsis only.

ACTION: The motion was approved by voice vote.

MOTION: Volan moved and it was seconded that Ordinance 17-31 be adopted.

MOTION: Volan moved and it was seconded to add the following phrase to the adoption, "The Council would prefer to see the project parked at a ratio of 0.5 spaces per bedroom, as long as it does not harm the Qualified Action Plan for this project."

ACTION: The motion received a roll call vote of Ayes: 4 (Sturbaum, Ruff, Volan, Rollo), Nays: 5, Abstain: 0. FAILED

ACTION: The motion to adopt Ordinance 17-31 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Resolution 17-30 - To Designate an Economic Revitalization Area, Approve the Statements of Benefits, and Authorize Periods of Abatement for Real Property Improvements – Re: Property Located at N. Crescent Road and Identified by the Monroe County Parcel ID Number 53-05-32-200-006.001-005 (Union Development at Bloomington GP, LLC, Petitioner)

Amendment 01 Synopsis: This amendment is sponsored by Councilmember Piedmont-Smith and makes changes to the “Whereas” clauses in the resolution. First, it corrects the building number and configuration in the fifth “Whereas” clause of the resolution. Instead of “four attached buildings,” the “Whereas” clause should reflect “three detached buildings.” Secondly, it deletes the assertion that the property has experienced a cessation of growth and replaces it with a finding that the property is characterized by environmental conditions which have impaired values and prevented normal development of the property. Both the deleted language and the proposed replacement are features which may make an area an “Economic Revitalization Area,” pursuant to I.C. § 6-1.1-12.1-1.

MOTION: Piedmont-Smith moved and it was seconded to adopt Amendment 01 to Resolution 17-30.

ACTION: The motion received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

MOTION: Volan moved and it was seconded that Resolution 17-30 be introduced and read by title and synopsis only.

ACTION: The motion was approved by voice vote.

MOTION: Volan moved and it was seconded that Resolution 17-30 be adopted.

ACTION: The motion to adopt Resolution 17-30 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

MOTION: Sandberg moved and it was seconded to take a five minute recess.

ACTION: The motion was approved by voice vote.

Ordinance 17-29 – To Amend Title 20 (Unified Development Ordinance) of the Bloomington Municipal Code – Re: Adding Section 20.05.110 (“Accessory Dwelling Units”) and Amending Section 20.11.020 (“Defined Words”)

MOTION: Volan moved and it was seconded that Ordinance 17-29 be introduced and read by title and synopsis only.

ACTION: The motion was approved by voice vote.

MOTION: Volan moved and it was seconded that Ordinance 17-29 be adopted.

MOTION: Volan moved and it was seconded to give the presenters an additional five minutes to discuss their proposed amendments.

ACTION: The motion was approved by voice vote.

Amendment 02 Synopsis: This amendment makes a number of changes to Ord 17-29 in the interest of providing further protections for single-family zoning districts in which Accessory Dwelling Units (ADUs) may be located. First, the amendment shifts the allowance for ADUs from a “by-right” allowance capped at 30 ADUs, to a conditional use without a cap, where approval is granted by the Board of Zoning Appeals (BZA) or the Hearing Officer. The amendment shifts the allowable number of bedrooms from two to one and shifts the number of unrelated people constituting a family and allowed to live on a lot with an ADU from five to back to the currently-allowable limit of three. Additionally, the amendment provides that the rear setbacks for ADUs shall be at least ten feet from any property line, rather than five feet; however, where an ADU is located on a lot that abuts an alley, the rear setback may be no less than five feet. The amendment retains the general requirement that ADUs should be located on a lot that is at least 300 feet from another ADU, but provides that ADUs may be located closer where the BZA or Hearing Officer finds that such proximity does not result in an undue concentration of ADUs leading to adverse impacts on a block or neighborhood. Furthermore, the amendment requires the owner of property upon which an ADU is located to file an annual affidavit with

the Planning and Transportation Department pledging agreement with the ADU requirements. Lastly, the amendment deletes a no-longer relevant “Whereas” clause referring to an ADU cap and adds two new clauses: one requesting that the HAND department reach out to neighborhoods with covenants limiting or restricting ADUs to encourage removal of such restrictions and a clause requesting that the Planning and Transportation Department report back to the Council annually on the number and location of ADUs approved and an assessment of the impact of ADUs on neighborhoods.

MOTION: Piedmont-Smith moved and it was seconded to adopt Amendment 02 to Ordinance 17-29.

ACTION: The motion received a roll call vote of Ayes: 5, Nays: 3 (Ruff, Volan, Sims), Abstain: 0 (Chopra left early).

ACTION: The motion to adopt Ordinance 17-29 as amended received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0 (Chopra left early).

LEGISLATION FOR FIRST READING

There was no legislation for first reading at this meeting.

COUNCIL SCHEDULE

There were no changes to the Council schedule.

ADJOURNMENT

1:06am

The meeting reconvened at 1:07am.

COUNCIL SCHEDULE

MOTION: Volan moved and it was seconded to cancel the Committee of the Whole on September 13, 2017.

ACTION: The motion was approved by voice vote.

ADJOURNMENT

1:07am